

FILED

Pro Se 15 (Rev. 12/16) Complaint for Violation of Civil Rights (Non-Prisoner)

2022 OCT -7 PM 2:42

## UNITED STATES DISTRICT COURT

US DISTRICT COURT  
MIDDLE DISTRICT OF FLORIDA  
ORLANDO, FLORIDA

for the

Middle District of OrlandoPlunk Division

6:22-cv-1862-RBD-EJK

Steve Pelletier  
Roland

Plaintiff(s)

(Write the full name of each plaintiff who is filing this complaint. If the names of all the plaintiffs cannot fit in the space above, please write "see attached" in the space and attach an additional page with the full list of names.)

-v-

Bergor Police  
State of Maine

Defendant(s)

(Write the full name of each defendant who is being sued. If the names of all the defendants cannot fit in the space above, please write "see attached" in the space and attach an additional page with the full list of names. Do not include addresses here.)

Case No.

TBD

(to be filled in by the Clerk's Office)

Jury Trial: (check one) ☒ Yes ☐ No

## COMPLAINT FOR VIOLATION OF CIVIL RIGHTS

(Non-Prisoner Complaint)

## NOTICE

Federal Rules of Civil Procedure 5.2 addresses the privacy and security concerns resulting from public access to electronic court files. Under this rule, papers filed with the court should *not* contain: an individual's full social security number or full birth date; the full name of a person known to be a minor; or a complete financial account number. A filing may include *only*: the last four digits of a social security number; the year of an individual's birth; a minor's initials; and the last four digits of a financial account number.

Except as noted in this form, plaintiff need not send exhibits, affidavits, grievance or witness statements, or any other materials to the Clerk's Office with this complaint.

In order for your complaint to be filed, it must be accompanied by the filing fee or an application to proceed in forma pauperis.

**I. The Parties to This Complaint****A. The Plaintiff(s)**

Provide the information below for each plaintiff named in the complaint. Attach additional pages if needed.

Name

Address

County

Telephone Number

E-Mail Address

Steve Pelletier  
 364 Shenipsit Rd  
 Tolland CT 06078  
 Tolland City State Zip Code

**B. The Defendant(s)**

Provide the information below for each defendant named in the complaint, whether the defendant is an individual, a government agency, an organization, or a corporation. For an individual defendant, include the person's job or title (if known) and check whether you are bringing this complaint against them in their individual capacity or official capacity, or both. Attach additional pages if needed.

Defendant No. 1

Name

Job or Title (if known)

Address

County

Telephone Number

E-Mail Address (if known)

Benger Police Dept  
 240 Main St  
 Benger ME 04401  
 Benger City State Zip Code  
 Penobscot County

☒ Individual capacity ☐ Official capacity

Defendant No. 2

Name

Job or Title (if known)

Address

County

Telephone Number

E-Mail Address (if known)

Officer Mendez  
 109 Patrol ?  
 210 Main St  
 Benger ME 04401  
 Benger City State Zip Code  
 Penobscot County

☒ Individual capacity ☐ Official capacity

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## Defendant No. 3

Name

John Doe officer

Job or Title (if known)

Address

240 Main St

Bangor

ME

04401

City

State

Zip Code

County

Telephone Number

E-Mail Address (if known)

☒ Individual capacity
 ☒ Official capacity

## Defendant No. 4

Name

State of Maine

Job or Title (if known)

State of Maine

Address

1 Horse Station Road

Augusta

ME

04333

City

State

Zip Code

County

Telephone Number

E-Mail Address (if known)

☐ Individual capacity
 ☒ Official capacity

## II. Basis for Jurisdiction

Under 42 U.S.C. § 1983, you may sue state or local officials for the “deprivation of any rights, privileges, or immunities secured by the Constitution and [federal laws].” Under *Bivens v. Six Unknown Named Agents of Federal Bureau of Narcotics*, 403 U.S. 388 (1971), you may sue federal officials for the violation of certain constitutional rights.

A. Are you bringing suit against (check all that apply):

☐ Federal officials (a *Bivens* claim)

☒ State or local officials (a § 1983 claim)

B. Section 1983 allows claims alleging the “deprivation of any rights, privileges, or immunities secured by the Constitution and [federal laws].” 42 U.S.C. § 1983. If you are suing under section 1983, what federal constitutional or statutory right(s) do you claim is/are being violated by state or local officials?

Intentional infliction of emotional distress

Deprivation of 4th 5th 8th Amendment

C. Plaintiffs suing under *Bivens* may only recover for the violation of certain constitutional rights. If you are suing under *Bivens*, what constitutional right(s) do you claim is/are being violated by federal officials?



- D. Section 1983 allows defendants to be found liable only when they have acted "under color of any statute, ordinance, regulation, custom, or usage, of any State or Territory or the District of Columbia." 42 U.S.C. § 1983. If you are suing under section 1983, explain how each defendant acted under color of state or local law. If you are suing under *Bivens*, explain how each defendant acted under color of federal law. Attach additional pages if needed.

### III. Statement of Claim

State as briefly as possible the facts of your case. Describe how each defendant was personally involved in the alleged wrongful action, along with the dates and locations of all relevant events. You may wish to include further details such as the names of other persons involved in the events giving rise to your claims. Do not cite any cases or statutes. If more than one claim is asserted, number each claim and write a short and plain statement of each claim in a separate paragraph. Attach additional pages if needed.

- A. Where did the events giving rise to your claim(s) occur?

See attached

- B. What date and approximate time did the events giving rise to your claim(s) occur?

See attached

- C. What are the facts underlying your claim(s)? (For example: What happened to you? Who did what? Was anyone else involved? Who else saw what happened?)

See attached

State of Maine under various liability  
as they are Responsible to ensure police  
operate w/ integrity protecting and serving  
Citizen w/o Department of established protected  
Rights

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## IV. Injuries

Mr. Steve Pelletier emotional distress, mental anguish as to Mr. Roland Pelletier helped w/ c/weg mng  
 If you sustained injuries related to the events alleged above, describe your injuries and state what medical treatment, if any, you required and did or did not receive. Mental anguish emotional distress. Also injuries sustained to my head face was sustained indirectly by Bangor arrest upon entry of Penobscot Jail. Head aches for 8 weeks now. loss of life freedom night terrors. Also my current health issues indirectly being neglected as my Blood pressure recently was 177/118 and no adequate medical care and it's my belief I have Lyme disease that also has been neglected as well as many involuntary exposure to Covid and cruel unusual punishment.

## V. Relief

State briefly what you want the court to do for you. Make no legal arguments. Do not cite any cases or statutes. If requesting money damages, include the amounts of any actual damages and/or punitive damages claimed for the acts alleged. Explain the basis for these claims. TBD and/or

Injunctive relief to allow citizens to be content in their persons unless positive identified as well as proper training to all officers to ensure no involuntary contact with officers firearms as well as ensuring no deprivation of established Protected Rights. As Careless, reckless policy and threat officers are becoming more and more common resulting in deaths, and lives being destroyed. Damages in the amount of \$100,000.00 minimum and or damages awarded by the courts. For Steve Pelletier \$20,000 dollar vehicle voucher and/or vehicle seized by Bangor Police in pound to assist Steve w/ better quality of life



Bangor Police August 6<sup>th</sup> 2022 ~~2022~~

On August 6<sup>th</sup> 2022 Officer ~~Arrives~~ at Hammond Lumber Company w/o positive identification of individuals in a complaint approach Steve Pelletier and myself asking questions pertaining to a trespass complaint. This to my belief violated both Steve and myself's due process clause 94.75 deliberately depriving both Pelletiers of there established protected right as a us citizen and that this officer also violated both Pelletiers right of the 4<sup>th</sup> Amendment conducting an unlawful <sup>Search</sup> ~~detachment~~ and unlawful seizure by way of detachment and information. Also officer mendaza unprofessionalism upon arrest of Mr. Roland Pelletier after illegal seizure of information forced Rolands left hand on his service issued and or a firearm. Mr Roland Pelletier stated Such issue officers response "its ok just don't pull it?" Something to that effect Mr. Roland Pelletier had active warrants out of Florida as a fugitive from justice from another unlawful and unconstitutional ~~arrest~~ for supposed weapons charges. Officer mendaza was aware of this and made a conscious deliberate act to inflict emotional distress and mental anguish. Also putting my safety at risk that results could have ended up differently especially with my PTSD. Thankfully I have faith and trusted in GOD & His time for change and to hold police accountable.



**VI. Certification and Closing**

Under Federal Rule of Civil Procedure 11, by signing below, I certify to the best of my knowledge, information, and belief that this complaint: (1) is not being presented for an improper purpose, such as to harass, cause unnecessary delay, or needlessly increase the cost of litigation; (2) is supported by existing law or by a nonfrivolous argument for extending, modifying, or reversing existing law; (3) the factual contentions have evidentiary support or, if specifically so identified, will likely have evidentiary support after a reasonable opportunity for further investigation or discovery; and (4) the complaint otherwise complies with the requirements of Rule 11.

**A. For Parties Without an Attorney**

I agree to provide the Clerk's Office with any changes to my address where case-related papers may be served. I understand that my failure to keep a current address on file with the Clerk's Office may result in the dismissal of my case.

Date of signing:

9/28/22

Signature of Plaintiff

Printed Name of Plaintiff

*Roland Pelletier*  
 Roland Pelletier  
 860 Camp Rd  
 Sharps Fl 32927

**B. For Attorneys**

Date of signing:

Signature of Attorney

Printed Name of Attorney

Bar Number

Name of Law Firm

Address

City

State

Zip Code

Telephone Number

E-mail Address